

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**TERRIE PRUDE**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO 3:20-CV-279-NBB-DAS**

**COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**REPORT AND RECOMMENDATION**

The plaintiff filed this action on October 20, 2020, along with a motion to proceed *in forma pauperis*. On October 27, 2020, the undersigned filed his report and recommendation that the motion to proceed *in forma pauperis* be denied, because the plaintiff does not qualify as a pauper. The plaintiff then moved to dismiss this appeal without prejudice. Shortly thereafter, the plaintiff filed a motion by her attorney, advising that she was attempting to obtain new counsel and that she was requesting an extension of time in which to obtain counsel and pay the filing fee. The plaintiff's request for an extension of time was granted. Plaintiff was ordered to pay the filing fees and have new counsel enter an appearance not later than January 14, 2021. The plaintiff has not paid the required court costs, nor has new counsel entered an appearance. The plaintiff has taken no further steps to pursue this action.

The undersigned recommends that this Social Security appeal be dismissed for failure to obey the orders of the court and to prosecute this action. Because of the time limits prescribed by statute for the filing of an appeal from the Social Security Administration, the dismissal will be with prejudice.

The parties are referred to 28 U.S.C. 636 (b)(1) and Local Rule 72 (a)(3) for the appropriate procedure in the event any party desires to file objections to these findings and recommendations. Objections are required to be in writing and must be filed within fourteen

days of this date. Failure to file written objections to the proposed finding and recommendations contained in this report within fourteen days from the date of filing will bar an aggrieved party from challenging on appeal both the proposed factual findings and the proposed legal conclusions accepted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1417 (5th Cir. 1996).

This the 10<sup>th</sup> day of February, 2021.

/s/ David A. Sanders

UNITED STATES MAGISTRATE JUDGE